THE 34TH ANNIVERSARY OF UN-CLE JOE'S MAIDEN SPEECH.

Congressman Boutell Sketches Great and Inspiring Scene, as He Regards It, and Ends With a Presidential Boom -Wild Demonstration for the Speaker.

WASHINGTON, Feb. 18 .- Mr. Boutell (Rep., Ill.), chief spokesman for the Cannon Presidential boom, disclosed to the House of Representatives to-day a new anniversary, the thirty-fourth of the first speech of Speaker Cannon of the House. Mr. Cannon, who was a member of the Committee on Post Offices and Post Roads, was then 36

"It was a notable assemblage that he addressed," said Mr. Boutell in his speech "Facing him, in vonder chair, sat the illustrious parliamentarian, statesman and orator, Speaker Blaine. Near the new member on this side of the House were gathered Joseph R. Hawley of Connecticut, William P. Frye and Eugene Hale, Maine; four remarkable men from Massachusetts— Henry L. Dawes, chairman of the Committee on Ways and Means, an able lawyer, economist and financier; the famous E. Rockwood Hoar, no less famous brother, George F. Hoar, and the bold and picturesque Benjamin F. Butler; Julius C. Burroughs of Michigan and James A. Garfield of Ohio. On the other side of the aisle shone a no less brilliant galaxy of statesmen, Alexander H. Stevens of Georgia, William R. Morrison of Illinois, William S. Holman of Indiana, Lucius Q. C. Lamar of Mississippi. Richard P. Bland of Missouri, Fer-Wood of New York, Samuel J. Randall of Pennsylvania and Roger Q. Mills

"Mr. Packer of Pennsylvania, chairman of the Committee on Post Offices and Post Roads, had been recognized and had moved to take up for consideration a bill reported by his committee. This bill reduced the rates of postage on books, papers and periodicals, gave to Government officials the franking privilege for public correspondence, provided for the free distribution of public documents and seeds and for the

public documents and seeds and for the carrying of newspapers free within the counties of their publication.

"Although there was then determined opposition to the bill, most of its provisions are in force to-day. So great was the interest in this measure that a motion by the chairman of the Ways and Means Committee to give precedence to an important mittee to give precedence to an important financial bill was voted down. Mr. Packer then yielded his time to the member from the West, who had been selected to present the views of the committee, and who was to make his first speech in Congress. He made a carefully prepared, logical argument in support of the bill, re-inforcing his propoattions by a well ordered array of con-vincing figures. It was a speech that could only have been made after hard work and After quoting liberally from the speech

Mr. Boutell continued:
"Who was this man who, thirty-four years
ago to-day, was ridiculed on the floor of this house as a country member and taunted with having oats in his pocket, who publicly acknowledged the truth of the jest that he did represent a country district, good naturedly silenced the jester and then refuted the insinuation of narrowness and provincialism in the ringing words that I have readwords eloquent with the spirit of the truest statesmanship and the loftiest patriotism? Who was this man who handled himself so well in his first argument in the House, and in the face of ridicule was so true and loyal house as a country member and taunted in the face of ridicule was so true and loval to the folks at home on the farms in his die cot and to the millions of the plain heart of this republic? It was Joseph G. Cannon of Illinois, the present Speaker of

Mr. Boutell sketched Mr. Cannon's rise Congress, his election three times as Speaker, the prominent measures he had advocated, and said that in faithfully representing the farmers and the toilers of his own district he had served all the workers

the country.
"The people of his district," he said, that are in their gift to bestow single handed and alone. And the thought that comes to my mind on this anniversary of our country colleague's first triumph in this House, a triumph won in the interest of the workers of the country, is simply this: How gladly within the next few months the other plain people who live on farms or work in mines or shops will join the voters of his district to reward this, their faithful servant, who went forth in their cause thirty-four years ago with oats in his pocket and returned bringing his sheaves with him, by conferring on him the nation's

final honor.\* [Applause.]
Speaker Cannon sat apparently unmoved throughout the delivery of his colleague's throughout the delivery of his colleague's sloquent and most complimentary remarks, and at the close rose to his feet to continue the business of the House. He was interrupted, however, by one of the most enthusiastic demonstrations the hall ever has had. Ordinary appliause was followed first by cheers on both sides of the hall and then, moved by a common the hall and then the hall and the hall and the hall and then the hall and the hall a impulse, Republicans and Democrats alike rose to their feet. Many in the galleries joined in the demonstration, the noise of

handelapping and cheers continuing.
"Speech! Speech!" was demanded from
several parts of the floor, but the Speaker dgorously shook his head and waited for outburst of emotion to exhaust itsel When this occurred a general laugh followed his calm and businesslike an-nouncement: "The gentleman from New nouncement: "The gentleman from New Hampshire (Mr. Sulloway) asks unanimous consent that private pension bills, in order to-day, be considered in the House as in committee of the whole."

The House passed 325 pension bills and later considered the question of arranging for the thirteenth census. Mr. Tawney (Rep., Minn.), chairman of the Committee on Appropriations, called attention to the on Appropriations, called attention to the fact that whereas the total cost of taking the twelfth census was \$13,500,000 the estimated cost of taking the thirteenth census under the provisions of the pending bill was \$20,000,000, and this despite the fact that the permanent census office, established largely upon the plea that its operation would result in a saving when the thirteenth census came to be taken, had already cost \$6,000,000.

## A NAVY INVESTIGATION.

Reuterdahl Charges to Be Taken Up by Naval Affairs Committee.

WASHINGTON, Feb. 18 .- An investigation of the charges of faulty construction in American battleships made by Henry Reuterdahl in a recent magazine article was decided upon at to-day's meeting of the Senate Naval Affairs Committee. The committee will have before it next Tuesday the reports made on the question by Admirals Converse and Capps, and it will then be determined what the scope of the

It is assured, however, that the two officers named will be called before the committee for the purpose of explaining some details of ship construction

Micalah E ans Not a Deserter Even in Theory.

WASHINGTON, Feb. 18 .- The House to-day passed a bill to remove the charge of desertion standing on the record of Micaiah R. Evans of Huntingdon, Pa., a member of Company A, Twenty-second Pennsylvania Volunteer Cavalry in the civil war. Evans three times enlisted in the army and three times was honorably discharged from service therein. When a draft was through some oversight was put on the roll and it was drawn from the box. He did not and could not answer to the call issue the drafted persons and he was marked a deserter. The action of Congress was necesmary to core the technical error.

HOUSE HURRAHS FOR CANNON NOMINATIONS IN THE SENATE. | ALDRICH BILL A MAKESHIF! Patterson for Fairbanks's Place as Pension Agent at Concord, N. H.

WASHINGTON, Feb. 18.-The nomination of Jacob N. Patterson to be pension agent at Concord, N. H., in place of Charles Fairbanks has been received in the Senate. Mr. Fairbanks was rejected by the Senate because he was not acceptable to Senators Gallinger and Burnham, the reason being alleged that he was one of the principal supporters of the Taft boom in that State supporters of the Taft boom in that State
Mr. Patterson is 70 years of age and a veteran of the civil war, in which he reached
the rank of Brigadier-General. In the
Spanish war he was in the Quartermaster's department and had charge of buildings in Cuba under the army of occupation. At present he is a cierk in the office
of the Second Auditor, this city. He has
never taken an active part in the politics
of New Hampshire, and the Senators from
that State will not likely oppose his confirmation.

Other nominations have been received as follows To be postmasters—New York, Arthur Hartt, Ravenna; Wesley Mulford, Unadilla. Oklahoma, David C. Blossom, Oklahoma; William R. Casteel, Mounds; Louis M. Merritt, Roff, and Joel E. Cunningham, Konawa. Virginia, Archie W. Moses, Cambria; C.

C. Duffy, Stonega, vice Otis Mouser, with-Maryland, Henry L. Arthur, Aberdeen Navy-Lieut. Gilbert S. Galbraith, to be

Chief Engineers with rank of Lieutenant, Charles H. Manning, William A. H. Allen, David M. Fulmer, William L. Ballis, Charles F. Nagle, Robert D. Taylor, Robert Crawford Caleb E. Lee, Alexander V. Fraser, Charles H. Greenleaf, Rudolph T. Bennett, John J. Bissett, Henry C. Blye, James W. Holihan and Jonathan M. Emanuel, to be Chief Engineers with rank of Lieutenant-Commandants on re-

Passed Assistant Engineers with rank of Lieutenant, Junior grade, James W. Patterson, James G. Littig, William G. McEwan, William H. Platt, Henry D. Sellman, Alexander H. Price, Joseph H. Greene and Daniel A. Sawyer, to have the rank of Lieutenant on the settered list.

NEGRO SOLDIERS COMING HOME. Part of the Twenty-fourth Infantry Leav-

ing Manila-To Be Stationed Here. WARHINGTON, Feb. 18 .- The transport Sherman has sailed from Manila for San Francisco with 602 men of the Twentyfourth Infantry, one of the negro regiments of the army, which has just finished a tour of duty in the Philippine Islands. They will be stationed at Fort Ontario, Oswego, and at Madison Barraoks, near Watertown, N. Y. The regiment is in command of Col. Daniel Brush, who was recently promoted to the rank of Brigadier-General.

It is probable that he will be assigned to the command of the Department of the Columbia upon the arrival of the Sherman in the United States. The department is now in command of Col. Thomas C. Wood-bury.

CATHOLIC UNIVERSITY LOSES. Court Decides It Cannot Collect \$200,000 From Dr. Clarke's Estate.

WASHINGTON, Feb. 18.-The Catholic University recently sought to recover \$200,000 from the estate of the late Dr. Daniel B. Clarke of this city on the bond given by the latter for the late Thomas E. Waggaman as treasurer of the university. The Court subsequently ruled that the responsibility of the bondsman was limited to the amount of university funds turned over to the treasurer after the execution of the bond, about \$80,000.

The Court to-day dismissed the suit he court to-day distinsed the suit, helding that the acceptance by the university of the notes and additional security offered by Waggaman in settlement of his indebtedness relieved the bondsman

Mrs. Hern's Extra Pension.

WASHINGTON, Feb. 18.-Among private pension bills passed by the House of Representatives was one sent over from the Senate giving \$24 a month to Margaret K. Hern. The house made the rate of pension the sum named instead of \$16 as recom-mended by the pension committee.

Mrs. Hern is the widow of a civil war veteran and while her husband was at the front she herself took an active part in the Sioux Indian war in 1862, being one of the party besieged at Fort Ridgely, Minn., and because of her patriotic services in that siege the House heeded the plea of Mr. siege the House Holliday (Rep., (Rep., Ind.) to give the \$8 ad-Mrs. Hern with other patriotic ditional women during the siege of Fort Ridgely melted the bullets which were fired into the fort by the Indians and made them into

bullets for use by the soldiers. Movements of Naval Vessels.

WASHINGTON, Feb. 18.-The battleship Mississippi has arrived at Hampton Roads the colliers Abarenda, Brutus and Nero and the gunboat Tacoma at San Juan and the collier Justin at San Francisco. The cruisers West Virginia, Maryland, Tennessee and Washington have sailed from Magdalena Bay for San Francisco, the cruiser Nebraska from Magdalena Bay for Santa Barbara, the cruisers Pennsylvania and Colorado from Magdalena Bay for Bremerton, the collier Cæsar from San Juan for Hampton Roads and the gunboat Hist and submarines Viper, Tarantula and Cuttlefish from New York Navy Yard for Annapolis.

Army and Navy Orders. WASHINGTON, Feb. 18 .- These army orders we re

Washington and the wind of the country of the count pt. George P. Reed, Assistant Surgeon, to Ontarlo. rt Ontario. Resignation of Capt. Charles E. B. F agg, Assistant Surgeon, accepted.
Retirement of Brig.-Gen. Charles E. L. B. Davis is announced.

Resignation of First Lieut. Thomas H. Jennings,
Seventh Cavairy, accepted.

These navy orders have been issued: Capt. S. C. Lemly, retired, from special duty inder Navy Department, to home. Lieut. R. Williams, from naval proving ground, ndlan Head, to naval Medical School Hospital, Washington, for treatment.

Passed Assistant Surgeon E. C. Taylor, from
Navai Hospitai, New Fort Lyon, and resignation accepted.
Passed Assistant Paymaster G. P. Auld, from
navy yard, Mare Island, to home and wait orders.

Bids for Panama Canal Railways.

WASHINGTON, Feb. 18.-Bids were opened at the offices of the Isthmian Canal Commission to-day for furnishing two cable railways and eight duplex cable railways for use in canal excavation. Fifteen bids were received, ranging from \$400,000 to \$1,500,000. The bids will be sent to the lathmus for the consideration of the com-

## See Washington THE HEART OF THE NATION THREE-DAY TOUR

Pennsylvania R.

February 20 Round-Trip Rate \$12.00 or \$14.50 from New York

According to hotel selected Covers necessary expenses for three days Similar Tours March 12, April 2, 13

May 7. Detailed Itineraries and full inform tion of Ticket Agents, or C. STUDDS E. P. A., 263 Fifth Avenue. New York.

Missouri Man Also Declares Stock Specu lation is the Cause of All Trouble and Should Be Restrained by Legisla-tion or at Least Should Be Taxed.

ATTACK ON THE MEASURE.

WASHINGTON, Feb. 18.-Senator William J. Stone of Missouri made a speech in the Senate to-day on the Aldrich bill.

"The trouble with the financial system In this country is not due so much to a shortage of available currency as to the fact that the money of the country is too much concentrated at a given point," said Mr. Stone. "I am not prepared to say that the Aldrich bill as it came from the committee if enacted into law would be valueless in times of stress or that it would wholly fail to accomplish the end it is intended to subserve; but at most it is only a makeshift, and though possibly it may be better than nothing, although as to that am far from satisfied, it is constructed on wrong lines and it is too narrow and

oircumscribed in its scope." Mr. Stone objected to "giving to banks the power to regulate the volume of the people's currency." The function of issuing money he said, belonged to the Government and should not be delegated. Discussing the feature of national bank reserves, Mr. Stone said in part: "Last fall when the New York banks arbitrarily refused to pay currency to their customers the outside banks found that three-fifths of their legal reserves were caught in the trap. If this money, or the greater part of it, had been kept at home and had been in the vaults of the banks to which it belonged there would have been millions of ready cash available

have been millions of ready cash available and there would have been doubtless little occasion for the interior banks to suspend cash payments across their counters."

The feature of the speech of Mr. Stone, however, was his attack on stock speculation. "The present panic is as much due to this monstrous evil as to anything else."

The dealered "I think it is a subject ween to this monstrous evil as to anything else," he declared. "I think it is a subject upon which legislators should bend their thought and ascertain if some plan cannot be devised to end, or at least greatly restrain, these gambling concerns. The greater part of this gambling is carried on in New York, although it is also carried on on a large scale in nearly all important cities of the country.

"The banks," he continued, "advance enormous sums to speculators in stocks and futures, and take the things in which the

gamblers speculate as security for their loans. "It has been reported that between 1896 and 1906 the New York bank loans on Stock Exchange collateral increased from \$162,-361,654 to \$442,210,705, while commercial loans increased in the same period from \$151,795,029 to only \$259,340,272. Nearly twice as much was loaned to stock specu-lators as was loaned to commercial customers. This shows to what extent the banks have become involved in stock trans-actions by holding Stock Exchange collateral as security for their loans, and it shows how the money of the people committed to the banks is being diverted from the legitimate channels of trade into the vortex of the

gambling exchanges.

If the Government of the United States cannot constitutionally prohibit and wipe out this gambling saturnalia it can at least lay its hand upon the gambler and extort from him a tax for using the privilege the State permits him to exercise, and to the extent that regulation may be necessary to accomplish this the general Government may assert itself."

TO BETTER THE STEERAGE. Bill Introduced to Make Conditions Those of British Regulations.

WASHINGTON, Feb. 18 .- A bill amending the law which soon is to go into effect enlarging the air space and accommodations required on shipboard for immigrants was favorably reported to the Senate from the Committee on Immigration to-day. The new law was so drastic that the steamship companies would have been compelled partly to reconstruct ships carrying immigrants. On their plea an investigation

The amendments reported to-day are those recently put into effect by the British Board of Trade. The changes are satisfactory to the steamship companies. adopting the British regulations it is hoped to obtain uniformity in the laws of all nations whose ships bring immigrants to

NAVY WORK MAY BE DELAYED. Ordnance Bureau Is Short of Money Be-

cause of Small Appropriation. WASHINGTON, Feb. 18 .- The failure of the House Naval Committee to include in the current appropriation bill an appropriation of \$2,000,000 for armor and armament for immediate use will seriously embarrass the work of the Ordnance Bureau of the Navy Department. When Congress authorized the construction of the two battleships

which were subsequently contracted for, it appropriated only \$1,000,000 for armor and armament instead of \$3,000,000, as requested by the Department. Unless the required amount is appropriated the Department will be compelled to stop payment to contractors for material

TO RECEIVE TAKAHIRA.

He Will Be Presented at the White House Very Soon. WASHINGTON, Feb. 18.-Mr. Miyaoka

Counsellor of the Japanese Embassy, called at the State Department to-day to arrange for the presentation of Baron Kogoro Takahira, the new Japanese Ambassador, who arrived in Washington yesterday. Ambassador Takahira sent a note to the lecretary of State informing him of his presence in this city and requesting that a convenient date be set for his presentation to President Roosevelt. This ceremony will probably take place at the White House

FEWER JAPANESE COMING IN

within a week or ten days.

Only 970 for This Country and Hawaii for January, as Against 5,000 a Year Ago. WASHINGTON, Feb. 18.-Secretary Straus ald before the Cabinet meeting to-day statistics of the immigration of Japanese into the United States. They show that the immigration of Japanese into the United States and into Hawaii was only about 970 last month, as against about 5,000 in January of ast year.

retary Straus believes that the smaller immigration is due to the cooperation of the Japanese Government authorities.

SENATOR LATTIMER BETTER. South Carolina Man Rallies at the End of

Bad Day, Following Operation. WASHINGTON, Feb. 18 .- Senator Asbury C. Lattimer of South Carolina, who yesterday underwent an operation for intestinal trouble, is resting considerably easier this evening after being in a serious condition

most of the day.
Early this morning his temperature was so alarming that the remaining members of his family were summoned by telegraph, but this evening an improvement came and while he is not considered out of danger the chances of his recovery are much

\$100,000 for Ship Canal Survey. WASHINGTON, Feb. 18 .- Representative Fornes of New York to-day introduced a bill to appropriate \$100,000 for a survey for a ship canal to connect Benton Harbor with Toledo.

SHIPWRECKED MEN SAFE. More Victims of The Emily Reed Reach

Shore-Cook Perished of Thirst. SAYS SENATOR STONE IN AN SEATTLE, Wash., Feb. 18 .- Nearly dead from thirst and with hardly strength enough to whisper, three refugees from the Emily Reed, which was wrecked last Friday at the mouth of the Nehalem River, drifted into Neah Bay, 200 miles from the scene of the wreck, last night in a lifeboat and were rescued by the crew of the sloop Teckla. They had had no food since the Emily Reed went on the rocks and it was some little time before they could tell the story of their

escape from the illfated vessel. In the party were First Mate Fred Zube and seamen Arthur Jahunke and Ewald Abilsted. The body of a fourth victim, the cook, was also in the boat. First Mate Zube said:

"Almost the instant the Reed struck the beach she began to break up. In a twinkling one of the lifeboats was smashe by a big wave and the decks were so deep in the foaming water that there was no chance to get aft, where Capt. Kersel and his wife with some members of the crew were stationed. We jumped into the remaining lifeboat and out the lashings. Before we had completed the job a big sea broke over the wreck and

carried us clear of the deck. "A strong current swept us toward the stern of the wrock, where we could see Capt. Kersel and the rest of the ship's company clinging to the roof of the aft house. My arm had been broken when the wreckage from the galley dropped on us and there was only one good oar, as the other had been broken and the spare oars washed away.

"We did our best to get back to the wreck, but the set of the undertow carried us from it.

rom it.
"We tried to head for Tillamook light, but "We tried to head for Tillamook light, but we had no compass to steer by. When morning broke I found that we were stunding far out to sea. I thought it best to keep the boat well out, hoping to fall into the path of the steamships. With this hope I set the course northward along the coast.

"The second night out we saw lights, but it was too dark to venture in. Toward evening of the third day the cook declared he could stand it no longer and took a drink of sea water. He soon became delirious.

"Sunday morning we made out Tatoosh

Sunday morning we made out Tatoosl Island.
"We were all too tired to manage the

"We were all too tired to manage the beat well, but along toward afternoon headed her back toward Neah Bay. Sunday seemed the worst day we were out. We kept seeing all sorts of vessels passing back and forth, but none of them would answer our hails. We were generally too far off to be made out plainly, I guess."

The survivors were very much surprised to learn that the captain and his wife and four other members of the crew had been saved.

THE CABINET RETALIATES.

Objection to Bills They Drew Brings Comeback Against Congressmen.

WASHINGTON, Feb. 18 .- A protest was nade recently in the Senate against the activity of members of the Cabinet in drawing up bills for passage by Congress. It was declared that the lawmaking power of Congress was being encroached upon, and particular complaint was made against Secretary Garfield, who has sent in more ready made bills this session than any other member of the President's official family.

The President to-day, with the advice and consent of his Cabinet, decided to strike back. This was done by declaring that it is not within the province of the Attorney-General to draw up bills at the request of individual Congressmen. Much of the anti-trust legislation of the last few years is commonly known to have been framed by the Attorney-General at the request of Mr. Roosevelt. It soon became the custom for members of the Cabinet to send recommendations of desired legislation to Congress, accompanied by a ready made draft. gress, accompanied by a ready made draft

All that Congress had to do was to pass the bills. The other duties and prerogatives of the legislative branch of the Government were assumed by the Executive. The practice became so general that several members of the Senate rebelled this winter and one or two of them spoke their minds in open session. It was ruled that no more ready-made bills should be received.

he rule has become irksome, and after a full discussion of the matter in the meeting of the Cabint to-day it was decided that the way to uphold the dignity of the Executive branch of the Government was to retaliate. It was explained, however, that the decision not to draw up any more bills at the request of Congressmen should not apply to requests of committees when made formally.

FIVE CENT FARE BILL DIES. Recommitted to Assembly Railroads Com mittee and Thus Is Killed.

ALBANY, Feb. 18.-Assemblyman Wagner's bill compelling the Brooklyn Rapid Transit to carry passengers from Manhattan borough to Coney Island for a five cent fare brought out attacks to-day on the New York City Public Service Commission by the minority members from New York city in the Assembly. The bill was reported by the Railroads Committee a few weeks ago after a strenuous time, Assemblyman Wainwright, chairman of the committee, wanting the bill sent to the Public Service Commission. Majority Leader Merritt to-day moved to have the bill recommitted to the Railroads Committee. In opposing the motion Assemblyman Wagner declared that to recommit the bill would meet with the gratification of the railroads. He said that the Public Service Commission had been in existence for six months, and so far had done nothing but start investigations.

"The commission started to investigate the Metropolitan," declared Assemblyman Wagner, "but as soon as it was seen that something criminal would be brought out in the disclosures the commission quit its investigation. It also started to investigate the B. R. T., but did not finish."

Mr. Wagner said the kepublican party did not want to alienate the affections of the railroads, as a Presidential campaign was coming on and the railroads might be needed later on. Assemblyman Schulz also wanted to know what the Public Service Commission had done during its existence. Assemblyman Francis said in defence that the Public Service Commission had all the power without the Legislature interfering.

Assemblymen Robinson, Bennett and Greene also defended the Public Service

The motion to recommit the bill to the Railroads Committee was carried by a vote of 82 to 61. This kills the bill.

KELSEY'S HOPES OF STICKING. His Friends Expect to Have 27 Votes Which Will Save Him.

ALBANY, Feb. 18 .- It is believed that a resolution will be introduced in the Senate to-morrow taking from the table the Governor's message and the copy of the Fleming report on Otto Kelsey, State Superintendent of Insurance. The message and report will be referred to the Judiciary committee, which is expected to take up

the question within a week or so.

There will be no trial of Mr. Kelsey this year. He will be invited to appear before the committee to make a statement. Then there will be a vote on the question of removal. Mr. Kelsey's friends expect to get 27 votes, which will save him.

Bope Ladder Thief in Dr. A. L. Root's

Home. A burglar got into the home of Dr. Arthur L. Roos at 114 West Eighty-first street at 8 o'clock last night. Dr. Root got his revolver and went to meet him, while Mrs. Root telephoned for the police. The burglar meanwhile went through a window in the rear and climbed to the roof on a rope ladder which he carried. He got away.

GILLETTE SENTENCE UPHELD

COURT OF APPEALS AFFIRMS HIS CONVICTION.

Unanimous Opinion That He Was Guilty of the Murder of Grace Brown on Big Moose Lake in July, 1906-The Case of the Piteous Letters Recalled.

ALBANY, Feb. 18 .- The Court of Appeals to-day affirmed the judgment of conviction of murder in the first degree in the case of Chester Gillette, who killed Grace Brown at Big Moose Lake, in the Adirondacks. Judge Hiscock wrote the opinion and all the Judges concurred. The opinion declares that the defence failed of success in its effort to prove that the wounds found on the girl's body by the physicians at the autopsy were not the cause of her death.

"No reasonable theory," says the court, sustains the possibility of the infliction of the wounds after death and no reasonable theory accounts for their infliction before death save by the hand of the defendant. It becomes a matter of small consequence whether he thus wounded her to insensibility or worse, or whether he flung her still partly conscious into the water. there for a brief period to maintain a feeble struggle for life and thus produce those signs of drowning whose presence is so earnestly asserted by counsel.

girl's death advanced by the defendant improbable and untrue. Judge Hiscock concludes that no other result than the verdict reached on the trial could reasonably have been expected in the case than that which has overtaken the defendant. Gillette was convicted in the fall of 1906

The court considered the theory of the

of the murder of Grace Brown, which oc curred on July 11 of the same year. The sentence of execution, which was placed for January, 1907, was stayed by an appeal, which has been pending in the Court of Appeals ever since that time.

Grace Brown, the victim of the murder was employed in the factory owned by Chester Gillette's uncle in Cortland, N. Y. Gillette also worked in the factory, and after attentions to her which lasted for nearly year and which, as the evidence brought out, Gillette tried to keep secret, he promised to marry her. In the meanwhile the evidence showed he had become attentive to another girl in Cortland and wished to get rid of Grace Brown, who had become an

get rid of Grace Brown, who had become an obstacle to his plans.

She finally went home to her parents in South Otselic, N. Y., and the letters which she wrote to Gillette from her father's home, begging him to marry her before the discovery of her condition by her parents, were the turning point of the trial. It was on the admission of these as evidence that the defence based its chief argument for a new trial.

a new trial.

From her letters it was evident that Gil-From her letters it was evident that Gillette finally agreed to take her away and to marry her. He came to De Ruyter, a town near South Otselic, where the girl met him, and they went together to the Adirondacks. At all the hotels where they went Gillette registered them under false names until they came to the hotel at Big Moose Lake. Here he registered the girl as Grace Brown, Cortland, and put himself down under a false name. false name.

Late in the afternoon of the day that he
Late in the Afternoon of the day that he

arrived at Big Moose Lake Gillette packed arrived at Big Moose Lake Gillette packed all his belongings into a suit case and started out on the lake with the girl in a rowboat. They never came back to the hotel and the upturned boat and the girl's body were found the next day in a cove near the other end of the lake. The water where the girl's body was found was only about six feet deep and the fact that the body of her companion could not be found first cause suspicion to be directed toward Gillette. Later Gillette's tennis racquet was found under the stump of an old tree where he had hidden it in his flight. His hat was also found floating on the water near the place where the boat was found. In the boat were traces of blood and on an oar which was found near by was found a lock of the girl's hair. The contention of the prosecution was that Gillette had knocked the girl down in the boat and struck her the head with an oar when her body

came to the surface. Gillette in his story on the stand said the girl had jumped overboard, upsetting the cance, and that he had swam ashore and left her. After the death of the girl Gillette continued in the Adirondacks, taking canoe trips, going to picnics and oth wise enjoying himself. He was in the Adirondacks when Deputy Sheriff Klock of Herkimer caught him.

UTICA, N. Y., Feb. 18.—There is slight chance of the attorneys for Chester Gillette making any further effort to save him in view of the Court of Appeals decision.

naking any further enort to save him in view of the Court of Appeals decision. Gillette's relatives are without resources to carry the case further, and even if funds were available the possibility of upsetting the conviction is considered very

Charles D. Thomas of Herkimer, who was associated with ex-Senator A. M. Mills in the defence of Gillette, said to-night: "The only ground on which the case can be carried to the United States Supreme Court is by the raising of a constitutional ques tion. The only constitutional question in this case is that of the right of the Governor of the State to call a special term of the Su-preme Court for a trial of this kind, as was done in the Gillette case."

CENTRAL'S BILL OPPOSED. Measure for Improvements, However,

Eventually Gets to Third Reading. ALBANY, Feb. 18 .- In the Senate to-day Senator White saved Senator Owens's bill in the interest of the New York Central from being annihilated at once. The railroad wanted to spend about \$2,000,000 in

order to cut out the Spuyten Duyvil curve.

It was proposed to do away with the grade crossings at 149th street. "There haven't been any grade crossings at 149th street within the last ten years," interrupted Senator Cohalan, who represents that district, "and the people of The Bronx oppose this bill."

Senator White said that the improvements that the control of the cont

ments that the railroad was going to make would be a big benefit to the travelling public and therefore the Legislature should act favorably. The bill was ordered to a third reading, but it is likely to be killed when it comes up for final pass

SUFFRAGE HEARING TO-DAY. Many Women to Speak for the Cause at Albany.

About one hundred suffragists and suffragettes will start for Albany this morning primed with all the modern arguments n favor of the enfranchisement of women The antis will also start.

Mrs. Hariot Stanton Blatch has had s letter from the Governor's secretary suggesting that as she had expressed a desire for the last word at the hearing this afternoon in the Executive Chamber the speakers under the auspices of the Equality League of Self-Supporting Women occupy the first twenty minutes of the hour, the anti orators the next thirty minutes and the league the last ten.

Among the speakers who will be duced to the Governor by Mrs. Blatch are Mrs Anna Garland Spencer of the School of Philanthropy, Mrs. Florence Kelley, president of the National Consumers League; Mr. Byrne of the Pipe Calkers Union and Miss Murphy of the Bookbinders Union.

Rose Schneiderman will address the Judicial Consumers of the Schneiderman will be seen to the Schneider

Ross Schneiderman will address the Judiciary Committee of the Legislature, as will also Mrs. Frederick Nathan, Mrs. Belle de Rivera, Mrs. Craigie, Mrs. Carrie Chapman Catt and Mrs. John Fowler Trow.

Mrs. John Phillips will be the principal speaker on the side of the opposition.

The Progressive Woman Suffrage Union have decided to send at least one representative. The choice will probably fall on Miss Mary Coleman, their corporation counsel.



Vogel Brothers-THE Store for Evening Clothes.

This we can absolutely assure you in the buying of your Tuxedo Coat: You cannot go wrong whether you se-lect one here at \$13.50 or \$30 or any price between the two. They are all perfectly styled-all perfectly tailoredand individually possess more intrinsic value than any Tuxedo Coats at equable prices. We've built up what is probably the largest Evening Clothes business in this city by these methods-we're not taking any chances at losing it.

Very Special are the Tuxedo Coats at \$17.50

Fashioned of an elegant quality imported black whipcord. The correct 1908 style — slightly shaped back, peaked lapel faced with bird s-eye silk, and closing with one button. Talk silk, and closing with one button. Tailors charge \$30 for these Tuxedo Coats. Here at \$17.50.

Vogel Brothers

2. Altman & Co. DIRECT ATTENTION TO AN IMPORTANT SALE OF LARGE AND MEDIUM SIZED ORIENTAL CARPETS, WHICH WILL TAKE PLACE SHORTLY, COMPRISING SELECT DESIGNS, SUITABLE FOR DRAWING AND RECEPTION ROOMS, LIBRARIES, DINING ROOMS AND FOYER HALLS, AT EXTREMELY LOW PRICES.

34th Street, 35th Street and 5th Avenue.

A BILL FOR SHORT TERM BONDS. lenator Sohmer Introduces One on Behalf of New York City Administration.

ALBANY, Feb. 18.—Senator Sohmer to-day introduced a bill at the request of the New York city administration giving the Commissioners of the Sinking Fund the power in their discretion to issue short term bonds. The present law provides that such bonds are redeemable in not less than ten years nor more than fifty years, and when the rates of interest are high, as they have been during the last year, there is no alternative but to bind the city to a high rate of interest for a period of at least ten years.

It is thought the city should have the power to issue bonds redeemable for a period of from one to five years and payable in any event in ten to fifty years.

Assemblyman Cuvillier introduced a bill amending the Constitution so as to prohibit the Legislature from having the right to pass laws legalizing bucket shops, buying of stocks, grain, cotton or produce on margin or dealing in futures. The office of Commissioner of Records for Queens county, the Commissioner to hold

office for five years and to receive a salary of \$5,000 a year, is provided for in a bill introduced by Assemblyman DeGrott. Assemblyman Hoey has a bill to make the Police Commissioner of New York city give an agreement in writing to special policemen to pay them not less than \$3.50

New York city firemen \$100 a year was introduced by Assemblyman Eagleton. Assemblyman Johnston introduced a bill providing that in cities of the first class where two or more street railroads are operated separately under receivers transfers must be issued the same as before the receivership if the roads had been oper-

a day. A bill to increase the salaries of

ated previously under one corporation. Senator Gates and Assemblyman Francis to-day introduced another bill which follows out the recommendations of State Superintendent of Banks Clark Williams, concerning powers of supervision and with regard to the liquidation of failed institu-tions. The bill gives the superintendent more power for adequate supervision. The power to take possession of the property and business of a bank or individual

banker found in an unsound or unsafe condition to do a banking business is extended to all corporations to which the banking law is applicable. The causes for the discolution of a corporation subject to the super-vision of the Superintendent of Banks are distinctly enumerated and defined and fol low out the recommendations of the super-intendent and the Hepburn commission. The Superintendent of Banks is to have practically the same power to liquidate the affairs of institutions under his super-vision as the Comptroller of the Currency has under the national banking act.

SEN. G. A REFORMER.

He Introduces a Bill to Make Wash Sales Felonies.

ALBANY, Feb. 18.-Senator Grady to-day introduced a bill making it a felony to make a so-called wash sale of stocks, bonds, produce or other property or to combine or conspire to give a fictitious value to produce, cotton, wool, tobacco or any manufactured product. A fine of \$1,000 and imprisonment of one year if the fine is paid, and not less than one nor more than two years if the fine is not paid, is made the penalty, and half the fine is to be paid to the person giving the information. Another bill introduced by Senator Grady makes it larceny knowingly to receive money in exchange for an article of food. drink, confectionery, jewelry or merchan-dise which is of inferior quality or of less value or composed of different materials than it is represented or claimed to be; and also making it a misdemeanor to falsely represent the quality or character of the materials of which such an article of mer-

TO CONTROL DANCE HALLS. Settlement Workers Speak in Favor of

handise is composed.

Regulating Them. ALBANY, Feb. 18.-Miss E. S. Williams of the College Settlement of New York city and Gaylord S. White, also a settlement worker, appeared before the Assembly Cities Committee this afternoon to urge, favorable action on Assemblyman Graubard's bill licensing dance halls in New York city and providing for their regula-

tion.

The settlement workers said that while in the crowded sections of New York city it was absolutely necessary to have dance halls, at the same time they should be subject to some supervision to save young girls from the danger of coming in contact with a side of life that might cause their downfall.

The bill is to be amended in some par-

ticulars so as not to interfere with certain more respectable dance halls.

Smith Gray

Many Smiths and many makes of clothing we admit, but only one Smith-Gray make of clothing. I See the new light-weight

overcoat for business wear.

New model in all the latest

SMITH, GRAY & CO.

shades and fabrics.

Broadway, at Warren St. Fulton St., at Flatbush Av. Broadway, at 31st St. Broadway, at Bedford Av.

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Capital and Surplus \$1,144,000 Interest Paid on Deposits. Accounts Invited.

BETTING BILLS UP TO-DAY.

Arguments Will Be Heard at Albany on Agnew-Hart Measures. ALBANY, Feb. 18.—The arguments on the Agnew-Hart bills, which repeal the Percy-Gray betting law and provide for an annual appropriation for the town and county agricultural societies, will be heard to-morrow at Albany.

The situation concerning the fate of the repeal of the betting law is critical, and those who were loud in their declaration a month or so ago that the bills could not pass the Legislature are now shaking. The racing interests profess to be confident of their ability to stop the bills again this year, but the most prominent legislators do not entertain that view. Senators who said at the outset that they would never west to repeal the Percy-Gray betting law now say that the sentiment in their districts compels them to change their own views and vote even

against their own wishes. Members of the Assembly who have been interested in county fairs and also conduct harness racing stables say that they will have to vote for the repeal of the Percy-Gray law if the bill gets on the floor of the House. The anti-gambling crusaders will have a big delegation here to-morrow and will endeavor to make as hig a showing as will endeavor to make as big a showing as is possible.

